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MAILED

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OFFICE OF PETITIONS

In re Patent No. **7,167,814**
Issue Date: January 23, 2007
Application No. 10/500,387
Filed: October 22, 2004
Attorney Docket No. **1501-1258**

DECISION ON PETITION
UNDER 37 CFR 3.81(b)

This is a decision on the petition filed March 19, 2010, which is being treated as a petition under 37 CFR 3.81(b) to correct the name of the assignee on the front page of the above-identified patent by way of a certificate of correction.

The petition is **DISMISSED**.

Petitioner requests issuance of a certificate of correction in the name of "S.P.M. Instrument AB."

37 CFR 3.81(b), effective June 25, 2004, reads:

After payment of the issue fee: Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 **before issuance of the patent**, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a) and the processing fee set forth in § 1.17(i) of this chapter [emphasis added]. See also MPEP 1481.01.

U.S. Patent and Trademark Office assignment records disclose that an assignment from Stefan Lindberg, et al. to S.P.M. Instrument AB was recorded on March 9, 2009, **after the date of issuance of this patent**. Accordingly, since the assignment was not submitted for recordation until after issuance of this patent, issuance of a certificate of correction would not be proper.

There is no indication that the petition is signed by a registered patent attorney or patent agent of record. However, in accordance with 37 CFR 1.34, the signature of Mr. Christopher S. Haggerty appearing on the correspondence shall constitute a representation to the United States Patent and Trademark Office that he is authorized to represent the particular party in whose behalf he acts. If, Mr. Haggerty desires to receive correspondence regarding this file, the appropriate power of attorney documents must be submitted. A courtesy copy of this decision is being mailed to Mr. Haggerty, the petitioner herein. However, until otherwise instructed, all future correspondence regarding this application file will be directed solely to the above-noted correspondence address of record.

Telephone inquiries concerning this decision on petition should be directed to Monica A. Graves at (571) 272-7253.



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